

Talking Points – Illinois EPA NPDES CAFO program

Talking Point on Central Sands Dairy, LLC

EPA inspection of Central Sands Dairy, LLC: June 20-21, 2017

Private Well Testing and Surface Water Testing: October 23-25, 2017

Groundwater Sampling and Private Sampling: April 30-May 3, 2018

Background

- 2012 - The [REDACTED] Family of Companies (Owners/Operators of Central Sands Dairy) submitted an application to build another CAFO in Saratoga, WI. Allegations of mismanaged and improper manure application and handling as well as increasing levels of nitrate in the drinking water supply around the Central Sands Dairy (CSD) facility and fields led residents and interested parties in Saratoga to investigate and conduct studies on the company's first facility, Central Sands Dairy. [REDACTED] hired Kenneth Wade P.E., P.G. to evaluate the nutrient management plan and CSD's operations in September of 2012. Kenneth Wade submitted a letter of complaint outlining the company's procedural faults as well as highlighting the increasing level of nitrate contamination in the private drinking water wells surrounding both the facility and the manure land application fields. Kenneth Wade reports nitrate-nitrite levels in surrounding private wells as high as 37.8 mg/L (Standard: 10 mg/L). Wade's reports do not indicate the presence of *E. coli* in any of the samples taken during his study. However, lab results from CSD's on site monitoring wells' samples have indicated the presence of fecal coliform bacteria including *E. coli* multiple times during 2015. These same reports have also reported the nitrate-nitrite levels within the facility's monitoring wells to be as high as 77 mg/L. The purpose of the monitoring wells

WDNR Permit Changes to Investigate Nitrate Contamination in Groundwater Near Central Sands Dairy:

1. WDNR WPDES Permit – Issued January 1, 2012 Expired 12/31/2016 WI-0063533-02-0
2. WDNR WPDES Permit – Issued July 16, 2016 Expired 12/31/206 Modify Wisconsin Pollutant Discharge Elimination System (WPDES) PERMIT Number: WI-0063533-02-1
 - In response to concerns about potential groundwater impacts associated with the operation's production area, the Department is proposing to modify the current permit to include requirements for Central Sands Dairy LLC to install a production area groundwater monitoring system. As part of the modification, the Department has identified approximate locations for the groundwater monitoring wells associated with the system which are identified within the modified permit.
 - a. The only sections of the permit that are proposed for modification are related to requirements associated with installation of the production area groundwater monitoring system. These include:
 - b. Insertion of Section 2, "Groundwater Monitoring System for Production Area": This section outlines the proposed groundwater monitoring system and associated sampling/monitoring requirements.
 - c. Insertion of Section 3.4, "Production Area Monitoring – Groundwater Monitoring Well Installation": This section outlines the construction schedule for the proposed production area groundwater monitoring system. Insertion of Section 4.3, "Groundwater Standard Requirements": This section outlines

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standard requirements associated with groundwater monitoring systems.
Modification of Section 5, “Summary of Reports Due”: This section was modified to include the summary of items changed in Sections 2 and 3.4.

3. **July 16, 2016** - Conditional Approval Modification of Plans and Specifications for a Groundwater Monitoring Plan (Phase II) for Central Sands Dairy, LLC.
 - On April 20, 2016, the DNR issued a public notice of intent to modify the WPDES Permit to address groundwater monitoring, including requirements for the existing (Phase I) groundwater monitoring wells and additional (Phase II) determine background groundwater quality upgradient of crop field RDO-12 which is used for manure irrigation by CSD. RDO-12 is located immediately north and upgradient of the production area. Monitoring requirements will be specified in the WPDES Permit
4. **September 2, 2016** - Michael Best & Friedrich, LLP, Legal Representation Filed for a Petition for a Contested Case Hearing being filed on behalf of Petitioner Central Sands Dairy, LLC pursuant to Wis. Stat. §§ 227.42 and 283.63.
5. ? – Need to get the date – WDNR withdrew the Permit and agreed to a Stipulated Agreement
6. New Permit has not been issued – Facility is under the expired permit.

EPA Inspection and Investigation of Central Sands Dairy

- June 20-21, 2017 Inspected Production Area and conducted file review of Central Sands Dairy.

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Ex. 5 Deliberative Process (DP)

EPA and other Agencies Involved in Looking into Nitrate Contamination of Private Wells in Juneau and Wood County, Wisconsin:

- Department of Agricultural, Trade, and Consumer Protection-
 - a. Sending bottles and directions for citizens in Wood and Juneau County to collect water samples to be submitted to DATCP to have analyzed for Nitrates and Pesticides.
 - b. If Nitrate levels are over the MCL limit for drinking water a letter is sent to the person along with results of the analyses of their well water.
 - c. Need to find out the number of wells that DATCP has tested.

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d. May 30, 2018?? DATCP started Voluntary Water Quality Study to determine wells that are contaminated with Nitrates and Pesticides attached is the flyer.

- Environmental Protection Agency
 - October 23- 25, 2017

Location ID	Date Collecting Sample	Location of sample	Nitrate levels
S01	10/23/2017	Private Well	37.8 mg/L
S02	10/24/2017	Private well	35.2 mg/L
S03	10/24/2017	Private Well	5.5 mg/L
S04	10/24/2017	Private well	0.41 mg/L
S05	10/24/2017	Private well	0.10 mg/L
S06	10/24/2017	Private Well	10.1 mg/L
S07	10/24/2017	Private Well	8.59 mg/L
S08	10/24/2017	Private Well	4.83 mg/L
S12	10/24/2017	Private Well	0.23 mg/L
S14	10/24/2017	Private Well	28.2 mg/L
S15	10/24/2017	Private Well	5.44 mg/L
S23	10/25/2017	Private Well	
S20	10/25/2017	Private Well	23.9 mg/L
S22	10/25/2017	Private Well	28.4 mg/L
*S16	10/25/2017	Petenwell Lake	
*S17	10/25/2017	Petenwell Lake	
S18	10/25/2017	Spud Creek	
S19	10/25/2017	Yellow River	

- Environmental Protection Agency
 - b. May 3, 2018

Location ID	Date of Sample Collection	Location of Sample Collection	Nitrate Levels
S01	5/3/2018	Private Well	34.4
S02	5/3/2018	Private Well	34.3
S03	5/3/2018	Private Well	21.9
S04	5/3/2018	Private Well	40.4
S05	5/3/2018	Private Well	29.3

Commented [BC1]: I need to make sure I have these results under the right number

Ex. 5 Deliberative Process (DP)

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Next Steps going forward after results have been received

- Approximately two weeks for the laboratory results to come back
- Post results of the Groundwater Data on an Public EPA website
- Brief WDNR on the results of the data
- Contact CSD to open discussion to discuss the results